

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Unlicensed Use of the 6 GHz Band)	ET Docket No. 18-295
)	
Expanding Flexible Use in Mid-Band Spectrum)	GN Docket No. 17-183
Between 3.7 and 24 GHz)	

**COMMENTS OF MOTOROLA SOLUTIONS, INC.
IN SUPPORT OF PETITION FOR STAY**

I. Introduction and Summary.

On May 28, 2020, the Association of Public-Safety Communications Officials International, Inc. (APCO) submitted a Petition for Reconsideration and a Petition for Stay of the Commission’s Report and Order in the above captioned proceeding to allow unlicensed operations in the 6 GHz band used primarily for fixed microwave service.¹ Motorola Solutions Inc. (“MSI” or “Motorola Solutions”) supports the APCO petitions and urges the Commission to defer implementation of the new rules until a thorough review of the Commission’s new rules has been completed.²

II. Background.

MSI is a global leader in mission-critical communications. Our technology platforms in communications, command center software, video security and analytics and managed and support services make cities safer and help communities and businesses thrive. Motorola

¹ See Petition for Stay of APCO International, ET Docket No. 18-295, filed May 28, 2020 (“APCO Petition for Stay”). See also, Petition for Reconsideration of APCO International, ET Docket No. 18-295, filed May 28, 2020 (“APCO Petition for Reconsideration”)

² Report and Order and Further Notice of Proposed Rulemaking, ET Docket No. 18-295, released April 24, 2020 (“Report and Order”).

Solutions serves more than 100,000 customers in more than 100 countries, with 16,000 employees in 60 countries, and an install base of more than 13,000 systems around the world, based on industry-leading innovation and a deep portfolio of products and services.

MSI is an active participant in this proceeding. In 2018, it filed comments that were supportive of increased sharing opportunities in the heavily congested 6 GHz band on the condition that mission critical fixed microwave links for public safety and critical infrastructure services “must be protected from harmful interference.”³ MSI expressed reservations that it “may be difficult” to restrict operation of lower power unlicensed devices to indoor areas and noted that under the proposed rules, there is no way to control them or restrict their operating locations once such devices are fielded.⁴ MSI recommended that unlicensed devices operating in the 6 GHz bands either be required to access an AFC function, and/or be professionally installed (in fixed configurations).⁵ MSI also argued that a carefully selected interference – to – noise protection ratio is essential and recommends that the ratio for protecting critical incumbent links be set no higher than -12 dB I/N levels.⁶

III. Discussion.

The Report and Order dismissed the need for low-power indoor devices to access an AFC function in order to “create new unlicensed use opportunities in these bands—including optimizing the potential for deployment of next generation Wi-Fi that makes use of 160 MHz

³ Comments of Motorola Solutions, Inc., ET Docket No. 18-295, February 15, 2018, at 2 (“MSI Comment”).

⁴ *Id.* at 6.

⁵ *Id.*

⁶ *Id.*

channels—while protecting the various incumbent licensed service.”⁷ The Commission stated that “[b]ecause there will be no AFC system to prevent interference to licensed services from occurring, the rules we adopt three restrictions [*sic*] designed to prevent harmful interference. Devices are: (1) limited to indoor operations; (2) required to use a contention-based protocol; and (3) subject to low-power operation.”⁸

APCO’s Petition for Reconsideration argues that the Report and Order ignores public safety’s reliance on the 6 GHz band and fails to consider that interference will result in irreparable harm to the public’s and first responders’ safety.⁹ Among APCO’s concern is that the Report and Order did not include sufficient measures to ensure low power access points are restricted to indoor operation only and fails to impose requirements upon the new unlicensed entrants to promptly identify and eliminate interference, and to demonstrate these capabilities in advance. In its Petition for Stay, APCO states that the Commission must stay the rules until it has reconsidered the impacts on public safety and established mechanisms to effectively prevent and promptly eliminate interference to public safety communications. Absent a stay of the new rules, APCO states that an influx of unlicensed devices will be introduced for use on the same spectrum used by public safety. Protecting public safety communications will be more difficult every day that the rules are in effect, and eliminating problematic devices after they have begun operating will be nearly impossible.¹⁰

⁷ Report and Order at ¶ 98.

⁸ *Id.*

⁹ Petition for Reconsideration at 1. MSI will provide additional comments on the Petition for Reconsideration when the comments are solicited on all such petitions.

¹⁰ Petition for Stay at 2.

APCO's Petition for Stay has been supported by the Fixed Wireless Communications Coalition and the National Public Safety Telecommunications Council. Most recently, the Edison Electric Institute has submitted its own petition for stay pending judicial review of the FCC's Report and Order.¹¹ MSI joins these parties and urges the FCC to delay implementation of the new rules as they relate to the deployment of low power indoor access points that lack the ability to access an AFC mechanism.

Motorola Solutions believes that the parties representing the incumbent services in the 6 GHz are likely to prevail in its challenges to the Report and Order and will be successful in achieving some modifications to the Commission's new rules applicable to low power indoor unlicensed devices. MSI believes that the courts will be persuaded that the FCC's remedies to prevent interference to primary services are both insufficient and ineffective from an enforcement perspective and will remand the issue back to the FCC for further analysis. Under these circumstances, it would be prudent to prevent the initial deployment of devices that are likely to be out of compliance with the final rules.

The rules applicable to indoor units that lack AFC capability will become effective on July 27, 2020.¹² On or after that date, manufacturers will be able to request certification for indoor access points that are compliant with the adopted rules. Judicial review and/or FCC reconsideration will take months, if not years, to complete. Absent a stay, the FCC risks the deployment of hundreds of thousands—perhaps millions—of low power indoor access points

¹¹ Both EEI and AT&T Services, Inc. have requested judicial review of the FCC's Report and Order.

¹² The Report and Order was published in the Federal Register on May 26, 2020.

that threaten to cause interference to incumbent microwave links with little capability to identify the offending unit. A stay of these rules is warranted to prevent such an outcome.

IV. Conclusion

MSI supports the APCO petitions and urges the Commission to defer implementation of the new rules until a thorough review of the Commission's Report and Order has been completed.

Respectfully Submitted,

/s/ Frank Korinek

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